

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND
PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE
APPROPRIATED.

Date of first receipt and filing in State Engineer's office FEB 10 1938
Returned to applicant for correction
Corrected application filed

The undersigned Ellison Ranching Co., Spanish Ranch
(Name of applicant)
of Tuscarora, County of Elko

State of Nevada, hereby makes application for permission to change the Point of Diversion and place of use of portions of the water heretofore appropriated under Permit No. 4176
(State nature of right that is the basis of this

application, i. e., vested, decreed or permitted right.)

1. The source of water supply is Hot Creek
2. The quantity of water desired to be changed 0.347 c.f.s.
(Acre feet, second feet)
3. The water is to be used for Irrigation purposes
4. The water heretofore used for Irrigation
5. Place of use under existing appropriation Portions of S₁ Sec. 20,
(Under irrigation give number acres)

T. 41 N., R. 52 E., M.D.B.&M.
and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision)

6. Proposed place of use under this application 34.7 Acres in portions
(Under irrigation give number of SE₁ NE₁ Sec. 19; NE₁ NW₁ and SE₁ NW₁ Sec. 20 and NE₁ NE₁ Sec. 30, T.
acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)

7. The water is to be diverted from its source at the following point:
In the SW₁ NE₁ Sec. 8, T. 41 N., R. 52 E., M.D.B.&M.
(Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.)

8. The existing point of diversion under the proposed appropriation is as follows: In the NW₁ NW₁ Sec. 20, T. 41 N., R. 52 E., M.D.B.&M.
(If point of diversion is not changed do not answer)

9. Number and kind of animals proposed to be watered

10. Use will begin about April 1 and end about Sept. 1 of each year.
(Month) (Month)

11. The water has been used heretofore during the months of
April to September of each year

12. Remarks P. B. U. for land on which irrigation is applied under permit No. 4176 will be filed forthwith.

13. Description of proposed works

All completed

14. Estimated cost of works

15. Estimated time required to construct the works is

Map filed under 4176

compared ENR-G.C.

Ellison Ranching Co., Applicant

By W. B. Beach, Agent
for Ellison Ranching Co.

APPROVAL OF STATE ENGINEER

This permit to change the place of use and point of diversion of the waters of Hot Creek as heretofore granted under Permit No. 4176 is issued subject to the terms and conditions imposed in said Permit No. 4176 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial weir and headgate must be installed at or near the new point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use and not to exceed 0.347 of a cubic foot per second.

Actual construction work shall begin on or before October 21, 1938.

Proof of commencement of work shall be filed before November 21, 1938.

Work must be prosecuted with reasonable diligence and be completed on or before October 21, 1940.

Proof of completion of work shall be filed before November 21, 1940.

Application of water to beneficial use shall be made on or before October 21, 1941.

Proof of the application of water to beneficial use must be filed with the State Engineer on or before November 21, 1941.

Proof of commencement of work filed APR 24 1939 WITNESS MY HAND AND SEAL THIS 23rd day

Proof of completion of work filed APR 24 1939 of April 1938

Proof of Beneficial use filed APR 24 1939

Certificate No. 2564 issued Jan. 2, 1941, for 0.347 cfs or 105 acre ft. per season - State Engineer

Recorded Jan. 8, 1941, Vol. 3, Page 271-278 Registration

Elko County Records

Alfred Merritt Smith

